

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Sixty-ninth meeting of the Standing Committee
Geneva (Switzerland), 27 November – 1 December 2017

Strategic matters

Rules of Procedure

REVIEW OF RESOLUTION CONF. 11.1 (REV. COP17);
REPORT OF THE SECRETARIAT

1. This document has been prepared by the Secretariat.
2. At its 17th meeting (CoP17, Johannesburg, 2016), the Conference of the Parties adopted Decisions 17.3, 17.5 and 17.9 in relation to the review of Resolution Conf. 11.1 (Rev. CoP17) as follows:

17.3 Directed to the Standing Committee

Resolution Conf. 11.1 (Rev. CoP17) on Establishment of committees contains provisions that are relevant for the Rules of Procedure of the Committees. In reviewing the Rules of Procedure, the Standing Committee at its 70th meeting, with input from the Animals and Plants Committees, shall identify possible inconsistencies and overlap and make such suggestions as appropriate to revise Resolution Conf. 11.1 (Rev. CoP17), for consideration at the 18th meeting of the Conference of the Parties.

17.5 Directed to the Animals and Plants Committees

The Animals and Plants Committees shall also identify possible inconsistencies and overlap between Resolution Conf. 11.1 (Rev. CoP17) on Establishment of committees and their own Rules of Procedure and submit to the 70th meeting of the Standing Committee any required revisions to the Resolution for consideration at the 18th meeting of the Conference of the Parties.

17.9 Directed to the Animals and Plants Committees

The Animals and Plants Committee shall review their terms of reference as contained in Resolution Conf. 11.1 (Rev. CoP17) on Establishment of Committees in order to, as necessary: remove redundancies with other activities directed to the Committees by Resolutions adopted by the Conference of the Parties; reflect current practice including provision of scientific advice upon request of Parties; and otherwise clarify the functions of the Committees in their role as science advisory bodies to the Conference of the Parties. The Animals and Plants Committees shall present any proposed amendments to Resolution Conf. 11.1 (Rev. CoP17) arising from their review to the Standing Committee for inclusion into their proposed amendments, as appropriate, pursuant to Decision 17.3, and for consideration by the Conference of the Parties.

3. At CoP17, the Conference of the Parties also adopted several Decisions concerning the Rules of Procedure of the Committees (Decisions 17.1 to 17.4, and 17.6 to 17.8), and potential conflict of interest in the Animals and Plants Committees [Decisions 16.9 (Rev. CoP17) and 16.10 (Rev. CoP17)] that are relevant for the

review of Resolution Conf. 11.1 (Rev. CoP17). [Decisions 17.1 to 17.9](#) were grouped under the item *Rules of Procedure* on the CITES website

4. This document should be read in conjunction with the SC69 documents on Rules of Procedure and Potential conflicts of interest in the Animals and Plants Committees.

Issues identified and suggested approach for implementing Decision 17.3

5. The Secretariat has identified an initial list of issues that the Standing Committee may wish to consider in its revision of Resolution Conf. 11.1 (Rev. CoP17) on *Establishment of Committees*:
 - a) inconsistencies and overlap between Resolution Conf. 11.1 (Rev. CoP17) and the Rules of Procedure of the Committees;
 - b) election and replacement of the members of the Animals and Plants Committees during their term;
 - c) election of the nomenclature expert, the possibility of electing alternate nomenclature experts and clarification of the process by which the Conference of the Parties elects the Animals Committee's specialist on zoological nomenclature and Plants Committee's specialist on botanical nomenclature;
 - d) representation of the Convention by the Animals and Plants Committees in other scientific bodies;
 - e) size and composition of the Animals and Plants Committees;
 - f) duties of the members of the Animals and Plants Committees;
 - g) establishment and membership of working groups (there is a particular issue with the membership of intersessional working groups that could benefit from the inclusion of Parties, organizations or experts that could add value to the working group which may not have been present at the meeting or in the particular session when the working group was established);
 - h) potential conflicts of interest in the Animals and Plants Committees;
 - i) procedure for challenges to the Chairs of the Animals and Plants Committees; and,
 - j) possible need for flexibility in terms of the durations of meetings (particularly when taking into account joint sessions);
 - k) regional communication and representation; and
 - l) terms of reference for the Animals and Plants Committee's (Decision 17.9).
6. To provide direction to the process described in Decision 17.3, the Standing Committee could request the intersessional working group on rules of procedure to be established at SC69 to examine issues a) to k) described in paragraph 5 and articulate the finding and recommendations of the Animals and Plants Committees on issue l) and any other aspects relevant to the functioning of the Animals and Plants Committees contained in Resolution Conf. 11.1 (Rev. CoP17).
7. At its 70th meeting, the Standing Committee shall consider the findings and recommendations of the intersessional working group on rules of procedure, which should include the input from the Animals and Plants Committees.
8. Pursuant to Decision 17.3, in reviewing the Rules of Procedure at its 70th meeting, the Standing Committee shall make such suggestions as appropriate to revise Resolution Conf. 11.1 (Rev. CoP17), for consideration at the 18th meeting of the Conference of the Parties.

Approach endorsed by the Animals and Plants Committees for the review of their Terms of Reference

9. The Secretariat submitted document AC29 Doc. 6/PC23 Doc. 7 to the joint session of the 29th meeting of the Animals Committee and the 23rd meeting of the Plants Committee, in which it indicated elements in Annex 2 of Resolution Conf. 11.1 (Rev. CoP17) that could be discussed, and a possible approach to implement the mandate described in Decision 17.9. The Animals and Plants Committees endorsed the

approach suggested and created an intersessional working group on the review of the terms of reference of the Animals and Plants Committees with the following mandate [see AC29/PC23 Sum. 1 (Rev. 1)]:

- a) Review Annex 2 of Resolution Conf. 11.1 (Rev. CoP17), and other aspects relevant to the functioning of the Animals and Plants Committees contained in Resolution Conf. 11.1 (Rev. CoP17);
- b) Take into account previous deliberations, and documents CoP17 Doc. 10.2.1 and AC29 Doc. 6/PC23 Doc. 7, as well as Resolutions and Decisions directed to the Animals Committee and the Plants Committee; and
- c) Report to the 30th meeting of the Animals Committee and the 24th meeting of the Plants Committee.

10. The membership of the intersessional working group was decided as follows:

Co-Chairs: AC Chair (Mr. Lörtscher) and PC Chair (Ms. Sinclair);

Members: AC representatives of Asia (Mr. Ishii), Central and South America and the Caribbean (Mr. Calvar Agrelo), Europe (Mr. Fleming), North America (Ms. Gnam), and the AC nomenclature specialist (Mr. van Dijk); the PC representative of Oceania (Mr. Leach) and the PC nomenclature specialist (Mr. McGough);

Parties: Canada, China, European Union, Georgia, Israel, Japan, Kuwait, Mexico, South Africa, United Kingdom of Great Britain and Northern Ireland, and United States of America; and

IGOs and NGOs: Humane Society International.

11. The working group will work electronically and is to take into account the previous deliberations and recommendations included in document CoP17 Doc. 10.2.1 prepared by the Chair of the Animals Committee. The Secretariat will provide administrative and technical support, and perform any other function as may be entrusted to it by the working group.

Recommendation

12. The Standing Committee is invited to endorse the approach suggested in paragraphs 5 to 8 and note the approach endorsed by the Animals and Plants Committees.

13. The Standing Committee is invited to request the intersessional working group on rules of procedure to be established at SC69 to conduct the following work:

- a) examine issues a) to k) described in paragraph 5 and articulate the finding and recommendations of the Animals and Plants Committees on issue l); and
- b) submit its findings and recommendations to revise Resolution Conf. 11.1 (Rev. CoP17), for consideration at the 70th meeting of the Standing Committee.